

PATENT

ATTORNEY DOCKET NO.: 046914-5001-01



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
Robert Penn CAGLE, et al.	)	
	)	
Serial No.: Unassigned	)	Examiner: Unassigned
	)	
Filed: June 6, 2001	)	Group Art Unit: Unassigned
	)	
For: <b>Method and Apparatus For HA Server</b>	)	

#16  
5-1-02  
9M

Commissioner for Patents  
Washington, D.C. 20231

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicants do not believe that a fee is due for filing this paper.

A copy of the listed documents are attached. Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making an appropriate notation on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior

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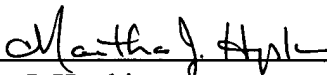
art." If it should be determined that the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of these documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

**Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

  
\_\_\_\_\_  
Martha J. Hopkins  
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Dated: **June 6, 2001**  
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<b>INFORMATION DISCLOSURE CITATION</b>  (Use several sheets if necessary)  <b>PTO Form 1449</b>  Page 1 of 3	Attorney Docket No.: 046914-5001-01	Application No.: Unassigned
	Applicants: Robert Penn CAGLE, et al.	
	Filing Date: June 6, 2001	Group Art Unit: Unassigned

1c903 U.S. PTO  
 09/874249  
 05/06/2001

**U.S. PATENT DOCUMENTS**

*Examiner Initial	Document Number	Date	Name	Class	Sub Class	Filing Date
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	4,412,281	Oct. 25, 1983	Works	364	200	July 11, 1980
	5,805,785	Sept. 8, 1998	Dias, et al.	395	182.02	Feb. 27, 1996
	4,967,344	Oct. 30, 1990	Scavezze, et al.	364	200	March 1, 1988
	4,710,926	Dec. 1, 1987	Brown, et al.	371	9	Dec. 27, 1985
	5,822,512	Oct. 13, 1998	Goodrum, et al.	395	182.11	June 5, 1996
	5,345,566	Sept. 6, 1994	Tanji, et al.	395	325	Jan. 24, 1992
	5,404,465	April 4, 1995	Novakovich, et al.	395	325	March 10, 1993
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	5,852,724	Dec. 22, 1998	Glenn, II et al.	395	200.69	June 18, 1996
	6,052,797	April 18, 2000	Ofek, et al.	714	6	Aug. 20, 1998
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	5,513,314	April 30, 1996	Kandasamy, et al.	395	182.04	Jan. 27, 1995

**FOREIGN PATENT DOCUMENTS**

Document Number	Date	Country	Class	Sub Class	<u>Translation</u> YES NO	

Examiner	Date Considered
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Examiner:	Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
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<b>INFORMATION DISCLOSURE CITATION</b>  (Use several sheets if necessary)  <b>PTO Form 1449</b>  Page 2 of 3		Attorney Docket No.: 046914-5001-01	Application No.: Unassigned
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<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>			
		W.Baker, R. Horst, D.Sonnier and W. Watson; "A Flexible ServerNet-based Fault-Tolerant Architecture"; 1995 IEEE	
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		Y. Liu, F. Yang and J. Chen; "A Two-Level Strategy for Software Fault Tolerance of Service Control Point"; 1998 IEEE	
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		T.Nakamikawa, Y. Morita, S. Yamaguchi, S. Ishikawa and Y. Miyazak; "High Performance Fault Tolerant Computer and its Fault Recovery"; 1997 IEEE	
		H.Kuefner and H. Baehring; "Dynamic Fault Tolerance in DCMA - A Dynamically Configurable Multi computer Architecture"; 1996 IEEE	
		A. Nayak, W. Jone and S. Das; "Designing General-Purpose Fault-Tolerant Distributed System - A Layered Approach"; 1994 IEEE	
		B. Benton, H.Kokado and H. Yamada; "A Fault-Tolerant Implementation of the CTRON Basic Operating System"; 1994 IEEE	
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		B. Butler and S. Adams; "A Fault-Tolerant Network Architecture for Integrated Avionics"; 1991 IEEE	
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		Jean-Claude Laprie, Jean Arlat, Christian Beounes and Karama Kanoun; "Definition and Analysis of Hardware-and Software-Fault-Tolerant Architectures"; July 1990 IEEE	
		F.Cristian; B. Dancey and J. Dehn; "Fault-Tolerance in the Advanced Automation System"; 1990 IEEE	
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		Daniel P. Siewiorek/Carnegie Mellon University; "Fault Tolerance in Commercial Computer"; 1990 IEEE	
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